

Raises New Questions About Company's History of Violations

Washington, DC (Nov. 2, 2011)—Today, Ranking Member Elijah E. Cummings [sent a second letter](#) to Superior Medical Supply, Inc., requesting documents about the company's purchases and sales of a cancer drug in critically short supply as part of Cummings' broader investigation into so-called "gray market" drug companies.

Although Superior initially agreed to cooperate and provide all documents requested by Cummings on [October 5, 2011](#), the company has stopped returning calls and has provided none of the documents at issue.

"I am concerned that your recent lack of cooperation may signal a decision on your part to reverse course and obstruct a congressional investigation that potentially could impact the health of millions of Americans," Cummings wrote. "This information should have been retained by your company on a routine basis to comply with federal and state regulations regarding prescription drug transactions."

Cummings' investigation revealed that Superior offered to sell the drug used to treat breast cancer and ovarian cancer for over \$500 per vial, more than seven times a typical sales price.

Cummings' letter also raised new concerns about Superior's history of problems with federal and state enforcement agencies:

- [In 2008](#), Superior paid \$200,000 to settle Justice Department allegations that "on at least 58 occasions" the company "maintained inaccurate and incomplete records related to the receipt, delivery, sale, and disposal of controlled substances."

- [In 2009](#), the State of Colorado imposed disciplinary action on Superior for purchasing prescription drugs from unregistered sources.

- [Later in 2009](#), the California Attorney General alleged that the company “purchased, traded, sold or transferred dangerous drugs that they knew, or reasonably should have known, were misbranded.”

Cummings requested that Superior provide all previously requested documents by November 14, 2011. Cummings also expanded his initial request to seek “all documents and communications relating to any disciplinary or enforcement actions brought against your company by any local, state, or federal authority.”

For more information on Cummings’s drug speculation investigation, click [here](#).